

Minutes of the Veneta City Council

May 14, 2007

Council

Present: Mayor T. J. Brooker, Thomas Cotter, Darrell Carman and Marion Esty

Absent: Sharon Hobart-Hardin

Others: Ric Ingham, City Administrator; Margaret Boutell, Community Services Director; Jerri Moore, Finance Director; Darci Henneman, Assistant City Recorder; Ken Jones, City Attorney; Linda Boothe, Cathy Coulson-Keegan, Gail Wilkie, George Hagerman and Jeneca Jones, West Lane News

Mayor Brooker called the Veneta City Council meeting to order at 7:08 p.m.

1. PUBLIC COMMENT

Linda Boothe, 25331 Jeans Rd., Veneta, OR;

Ms. Boothe, announced the Fern Ridge Chamber of Commerce hired Heather Edwards as the Economic Development Director.

Cathy Coulson-Keegan, 25130 E. Broadway, Veneta, OR;

Ms. Coulson Keegan met with Commissioner Fleenor at Robbies Windowbox Caffé' and Mike Spaeth of District 5. She requested ODOT install reflectors along Highway 126. She would like to see the City get involved with placing these reflectors, after ODOT has re-paved the 10 mile stretch beginning at Neilsen Rd. west to Veneta. The reflectors cost \$4 each.

Mayor Brooker said there are some funds available from ODOT for low cost spending for safety. He said the City will take up the discussion with ODOT.

Gail Wilkie, 87958 Erdman Way, Veneta, OR;

Gail Wilkie and Cathy Coulson-Keegan asked Mayor Brooker to draw nine names for the Wings and Wine Festival raffle

George Hagerman, 88106 Lindsay Lane, Veneta, OR;

Mr. Hagerman asked which Council member represented his neighborhood. Mayor Brooker said Council members are selected at-large and told Mr. Hagerman to feel free to speak to any Councilor.

2. CONSENT AGENDA

MOTION: Thomas Cotter made a motion to approve the consent agenda except for the April 23, 2007 minutes. Marion Esty seconded the motion.

Vote: Marion Esty, aye; Thomas Cotter, aye; Mayor Brooker, aye; Darrell Carman, aye.

The consent agenda as approved included minutes for April 18, 2007 Work Session, Bills Payable for April and May, 2007, Public Works Activity Report for April 2007, All City Clean-Up Summary and the Civic Calendar for June 2007.

Marion Esty had questions regarding the April 23, 2007 minutes. Darci Henneman, Assistant City Recorder, clarified Marion Esty's questions. No amendments were required.

MOTION: Darrell Carman made a motion to approve the April 23, 2007 minutes. Thomas Cotter seconded the motion, which passed with a vote of 4-0.

3. DEPARTMENT REPORTS

a. FROM MAYOR/COUNCILORS

- (1) Annual Accomplishments & Goal Setting Report from the Veneta Park Board.
Gail Wilkie presented the Parks Board Annual Report for 2006/07 and the goals they have achieved over the last year. She thanked Tauyna Jones and Logan Loftis for their efforts with the Earth Day event and the Easter Egg Hunt.

b. COUNCIL/COMMITTEE LIAISONS

Marion Esty attended the reception at the Library for Rozella Van Meter, who resigned her position as Library Director. She said there were many people in attendance.

Mayor Brooker said all showings of the ART, Inc. presentation "Lumberjacks and Wedding Belles" were sold out. On behalf of Joan Mariner, he thanked the City for their donations. He said Ms. Mariner could not be at tonight's meeting but will be at the May 29, 2007 meeting.

4. STAFF REPORTS

a. FINANCE DIRECTOR JERRI MOORE

- (1) **Resolution 939** - A RESOLUTION AUTHORIZING AN INTERFUND LOAN FROM THE CAPITAL CONSTRUCTION FUND TO THE MUNICIPAL WATER FUND AND CREATING AN APPROPRIATION

Jerri presented Resolution 939 for Mayor Brooker's signature. This resolution will authorize payment from the Capital Construction Fund to the Water Fund and authorizes 6% interest for repayment of the loan. She said there is not adequate funding for repayment before June 30th, 2007, therefore it will be included in next year's budget.

MOTION: Thomas Cotter made a motion to approve Resolution 939. Marion Esty seconded the motion, which passed with a vote of 4-0.

b. COMMUNITY SERVICE DIRECTOR MARGARET BOUTELL

- (1) Stormwater Master Planning Update

The City entered into a contract with URS Engineers to create the Stormwater Master Plan Manual at a not to exceed amount of \$42,194.23. Topographical maps were needed for the project but the maps used to produce the City's current Drainage Master Plan did not cover the area south of the City limits, where the basin begins. Margaret contacted the City Engineer, Lane County and LCOG to locate a map that had this information but was unsuccessful. The City will need to hire a surveyor. West Consultants provided a bid of \$3,500 to complete the survey before URS Engineers can proceed with the project. A GPS (Global Position System) survey of elevation spots will be done to identify the outer boundaries of the southern portion of the basin. Margaret said because the engineer will need the remainder of the fiscal year to prepare for the project, the bulk of the contract will be spent in the next fiscal year. A carry-over is required of the remaining money in the contract (\$38,500) to next fiscal year.

In response to a question from Thomas Cotter, Margaret said the survey will be on the southern portion of the City where the water comes into the City from the

south and moves to the north, south of E. Bolton, toward Strawberry Lane. Margaret said the global positioning process will be used to determine the elevation of the area to determine the flow of the water and then create a map from that. She said Hayden Homes owns a large piece of the land needed to be surveyed but there are other landowners who need to be contacted.

MOTION: Darrell Carman made a motion to approve payment to West Consultants for a not to exceed \$3,500 for survey costs. Thomas Cotter seconded the motion, which passed with a vote of 4-0.

There was a brief discussion about Margaret's three payment options she provided to the Council. It was agreed because the contract will be carried over to the next fiscal year and it is SDC eligible for payment. It wasn't necessary to specify where the contract amount of \$3,500 would be paid from.

(2) Real Estate Property Exchange Agreement

This agreement is for the transfer of the Bolton Hill property, owned by the City, for the Gorilla property, (88196 8th St.) adjacent to Fern Park. Margaret said there are two changes to the agreement. However, legal counsel has already reviewed the document. Section 2.1 Obligation to Pay Taxes. This language will be removed entirely and replaced with "Taxes and Assessments will be prorated as of the date of closing". And in Section 7. Title Insurance, Margaret said the sellers of the Gorilla property will not furnish a title insurance policy to the City for that property but legal counsel recommended purchasing a title insurance policy for the Gorilla property to ensure the property has clear title.

Thomas Cotter said title insurance guarantees the property, prior to closing, to be clear of any liens and free of any unknown encumbrances. He felt it's a good idea for the City to have the preliminary title insurance policy when purchasing property and set some kind of policy or standard to follow for future property purchases.

In response to a question from Darrell Carman, Thomas Cotter said the title company does a preliminary title report but the additional title insurance policy will compensate the City for anything missed by the title company, i.e., unknown encumbrances or liens placed on the property that were not recorded with Lane County Deeds and Records and would not show up on a title report.

MOTION: Darrell Carman made a motion to authorize Mayor Brooker to sign the Real Property Transfer Agreement after the amendments to Section 2 and Section 7 are made. Thomas Cotter seconded the motion.

Discussion:

Ric said the Council can still authorize the Mayor to sign the Property Transfer Agreement now and prior to the closing of the property transfer, the City can purchase the additional title insurance.

In response to questions from Mayor Brooker and Darrell Carman, Margaret said if the building permit for development of the property has not been submitted for approval within two years from the date of closing, the SDC Charges Credit will become void.

The Motion passed with a vote of 3-1. Darrell Carman voted no.

(3) Water Conservation Proposal

Margaret presented Proposed Activities to follow for water conservation for City residents. The proposed activities listed several methods for reducing water usage over the upcoming summer months.

After much discussion it was agreed to authorize approval of three of the items in Margaret's Proposed Activities handout as follows: 1.) adopting a resolution to increase fees for water and water use over 10,000 gallons per month; 2.) create a brochure of water conservation information to provide to residents when they pay their water bill; and 3.) create a pamphlet for builders that describes topsoil and other requirements for installing lawns that use the least amount of water. Councilors also authorized the expenditure of \$1,000 to modify/create a water conservation brochure for residents and a pamphlet for builders to use for installation of lawns.

Judy Hayes-Ebert, 25 E. Bolton Rd., Veneta, OR;

Ms. Hayes-Ebert said she is concerned about the future housing construction in the area and what that will mean to the City's water supply. She said Public Works employees have informed her there is an immediate potential problem with the City's water supply.

Mayor Brooker said the City is continuing water exploration and well development for the future. There is not a shortage of water now but because of the upcoming dry months, water conservation should be addressed. He said water conservation should be a priority for all communities. Mayor Brooker asked Ms. Hayes-Ebert who informed her there is a water shortage. He asked staff to follow up on this false statement.

MOTION: Darrell Carman made a motion to approve three of the five suggestions in the Water Conservation Proposal Activities. Thomas Cotter seconded the motion, which passed with a vote of 4-0.

(4) City Council Work Session Schedule

Margaret said there is a Planning Commission meeting on June 4th. She suggested the City Council/Planning Commission meet at 5:30 on that day. Councilors agreed to that meeting and to hold a joint City Council/Planning Commission meeting on July 9th. Margaret will propose that date to the Planning Commission.

c. CITY ADMINISTRATOR RIC INGHAM

(1) Public Safety FTE

Ric said much time had been spent trying to work with the City of Creswell to share a full time deputy. He said Mark Shrives is leaving the City of Creswell and therefore they were not able to work out sharing a deputy. He said because the funds for the full time deputy have been budgeted in 2006/07, he and Mayor Brooker decided to add a fourth deputy. He said the decision needed to be made by May 4th because of the

possibility of the Lane County Public Safety Tax Measure failing. If so, LCSO will be laying off deputies throughout the County. In addition, the City needs to continue working aggressively with Sheriff Burger to maintain the deputies we have, hopefully our deputies can stay on patrol even though other officers may have seniority.

(2) **Resolution 940 - A RESOLUTION DECLARING CERTAIN CITY-OWNED REAL PROPERTY AS SURPLUS PROPERTY**

Ric said the McDougal Brothers would like to purchase the Bolton Hill Ranch property but the existing water line needs to be vacated prior to improvements. In 2002 the Urban Renewal Agency paid for a new water line on this property. But, before McDougals can start development, the City's water line needs to be vacated and the water line must be relocated. Ric said in order for the City to liquidate the property, first it must be declared surplus property. Ric referred to Resolution 940, which had two corrections. At the second and third "WHEREAS, . . . upon relocation of the existing water line . . .", should read "WHEREAS, . . . upon relocation of the 'newly dedicated' water line. . .".

Darrell Carman asked if it should read "installation" instead of "relocation". Ric agreed that would bring more clarification. Ric said the second and third "WHEREAS", would read "... 'installation' of the newly dedicated water line . . .".

Ric referred to the last paragraph of Resolution 940, "NOW THEREFORE, . . . above listed property as surplus upon dedication of the public right-of-way . . ." should read "NOW THEREFORE, . . . above listed property as surplus, 'contingent' upon dedication of the public right-of-way and the installation of the newly dedicated water line, . . .".

MOTION: Thomas Cotter made a motion to approve Resolution 940. Marion Esty seconded the motion, which passed with a vote of 4-0.

Mayor Brooker confirmed the addition of "... list property as surplus, 'contingent' upon dedication of the public right-of-way . . .".

(3) **Request to Purchase Surplus Property**

Ric presented a letter from attorney, Larry Gildea, who represents the McDougal Brothers and their request to purchase the Bolton Hill Ranch (tax lot 1901) referred to in Resolution 940. He said the 14,900 sq. ft. strip of land is of little use. McDougals offered \$15,000 for the property and Ric felt this is an appropriate figure. He is requesting the Council to accept McDougals' offer to purchase the surplus property (tax lot 1901). Ric said an update to the Urban Renewal Plan is needed to reduce the Urban Growth Boundary (UGB) by excluding that area. He will contact Jeff Tashman to make the necessary changes to the Urban Renewal Plan. A new survey will also be needed to reflect the removal of the property from the UGB.

MOTION: Thomas Cotter made a motion to accept McDougals request to Purchase City-owned Surplus Property (tax lot 1901). Marion Esty seconded the motion, which passed with a vote of 4-0.

(4) **Proposed Summer Meeting Start Times**

There was a discussion regarding starting the upcoming summer City Council meetings at an earlier time. After discussing the issue, it was agreed not to change the starting time of the City Council meetings but the subject could be discussed at a future date.

5. OTHER

Ric reminded Councilors the second City Council meeting in May will be on Tuesday, May 29, 2007, the day after Memorial Day.

6. EXECUTIVE SESSION

At 8:40 p.m. Mayor Brooker adjourned the Council into executive session under ORS 192.660(2)(h) and ORS 192.660(2)(e).

Mayor Brooker temporarily adjourned the executive session and reopened the regular City Council meeting at 9:00 p.m.

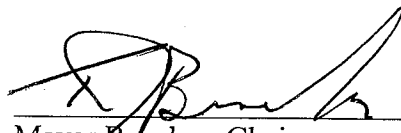
Ken Jones said the City received notice from the State of Oregon Employment Relations Board of the possible formation of a union by City employees. The notice requires the Council to appoint negotiators/consultants to represent the City in this labor dispute.

Having made the following decisions, the Council returned to the executive session at 9:05 p.m.

MOTION: Thomas Cotter made a motion to appoint Ric Ingham and Ken Jones as labor relations consultants for the City of Veneta. Marion Esty seconded the motion, which passed with a vote of 4-0.

7. ADJOURN

Mayor Brooker adjourned the Veneta City Council at 9:05 p.m. and returned to Executive Session at 9:05 p.m.



Mayor Brooker, Chairman

ATTEST:



Darci Henneman, Assistant City Recorder
(prepared by dhenneman)